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UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

WEN-HAI TSAO
P.O. BOX 697
FENG-YUAN CITY 420
TAICHUNG HSIEN
TAIWAN R.O.C.

COPY MAILED

FEB 27 2006

In re Application of	:	OFFICE OF PETITIONS
Wen-Hai Tsao	:	
Application No. 10/740,480	:	
Filed: December 22, 2003	:	
For: CUTTING MECHANISM MINUTE	:	ON PETITION
ADJUSTMENT DEVICE FOR A STONE	:	
CUTTER	:	

This is a decision on the Renewed Petition Under 37 CFR 1.137, filed January 27, 2005. The petition is properly treated under 37 CFR § 1.181.

The Petition is granted.

The above-identified application became abandoned for failure to timely and properly reply to the Notice of Allowance and Issue Fee Due, mailed September 8, 2004. The Notice set a non-extendable three (3) month period for reply. No response having been received, the application became abandoned on December 9, 2005. The mailing of this Decision precedes the mailing of a Notice of Abandonment.

Applicant filed a petition on December 8, 2004, to request a supplemental Notice of Allowance and the Issue Fee transmittal based upon non-receipt of the Notice. The petition was dismissed in a Decision mailed January 5, 2006, for failing to meet the requirements of a grantable petition under 37 CFR § 1.181.

With the instant petition Applicant has demonstrated non-receipt of the notice by a preponderance of the evidence. Applicant has also filed the issue fee with the instant petition.

The application file is being referred to Publishing Division
for processing into a patent.

Telephone inquiries concerning this matter should be directed to
the undersigned at (571) 272-3232.

Derek Woods

Derek L. Woods

Attorney

Office of Petitions

Office of the Deputy Commissioner
for Patent Examination Policy